

BOWMAN AND BROOKE LLP
Paul G. Cereghini (SBN: 148016)
Marion V. Mauch (SBN: 253672)
879 West 190th Street, Suite 700
Gardena, CA 90248-4227
Tel: (310) 768-3068
Fax: (310) 719-1019
E-mail: paul.cereghini@bowmanandbrooke.com
E-mail: marion.mauch@bowmanandbrooke.com

Vincent Galvin, Jr. (SBN: 104448)
Ryan A. McCarthy (SBN: 233093)
1741 Technology Drive, Suite 200
San Jose, California 95110-1355
Tel: (408) 279-5393
Fax: (408) 279-5845

Attorneys for Defendants RIDDELL, INC., ALL AMERICAN
SPORTS CORPORATION, RIDDELL SPORTS GROUP, INC.,
EASTON-BELL SPORTS, INC., EASTON-BELL
SPORTS, LLC, EB SPORTS CORP., and RBG HOLDINGS CORP.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

VERNON MAXWELL, et al.,	) CASE NO.: CV 11-8394 R (MANx)
)
Plaintiffs,	) (Removed from Los Angeles County
	) Superior Court–Case No. BC465842)
vs.)
	) Assigned to: Hon. Manuel L. Real
NATIONAL FOOTBALL LEAGUE, et	) Department: 8
al.,)
Defendants.	) NOTICE OF CONSENT TO AND
	) JOINDER IN REMOVAL TO THE
	) UNITED STATES DISTRICT COURT
	) FOR THE CENTRAL DISTRICT OF
	) CALIFORNIA UNDER 28 U.S.C.
	) SECTION 1441
)
	) Action Filed: July 19, 2011
	) Trial Date: None

1 TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
2 CENTRAL DISTRICT OF CALIFORNIA:

3
4 Defendants RIDDELL, INC. (erroneously styled as "d/b/a Riddell
5 Sports Group, Inc."), ALL AMERICAN SPORTS CORPORATION,
6 RIDDELL SPORTS GROUP, INC., EASTON-BELL SPORTS, INC.,
7 EASTON-BELL SPORTS, LLC, EB SPORTS CORP., and RBG
8 HOLDINGS CORP. (collectively, the "Riddell Defendants")¹ consent to and
9 join in the removal of Case No. BC465842 (the "State Action") from the Los
10 Angeles County Superior Court to the United States District Court for the
11 Central District of California, Western Division, by Co-Defendants National
12 Football League and NFL Properties LLC (collectively, the "NFL
13 Defendants"), pursuant to 28 U.S.C. §§ 1331 and 1441, and supplemental
14 jurisdiction, pursuant to 28 U.S.C. §1367(a), and state as follows:

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16 1. The NFL Defendants have removed this case, pursuant to 28
17 U.S.C. § 1441(a)-(b), based on federal-question jurisdiction, specifically,
18 their assertion that § 301 of the Labor Management Relations Act ("LMRA"),
19 29 U.S.C. § 185, controls and preempts Plaintiffs' claims against the NFL
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¹ Referring to these Defendants collectively does not imply or concede that they are properly joined or named as Defendants, and the "Riddell Defendants" reserve the right to move to dismiss some or all of them. The collective reference is merely for convenience.

1 Defendants. (See *generally* NFL Defs.' Notice of Removal.) The NFL
2 Defendants further assert that, pursuant to 28 U.S.C. § 1367(a), this Court
3 has supplemental jurisdiction over all Plaintiffs' claims and all parties,
4 including the Riddell Defendants. (NFL Defs.' Notice of Removal, ¶ 7.)
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7 2. The Riddell Defendants join in and consent to this removal.

8 3. The Riddell Defendants do not waive any defenses that may be
9 available to them, including without limitation defenses based on
10 jurisdiction, venue, standing, or failure to state viable claims. The Riddell
11 Defendants also do not admit any of the factual allegations in the
12 Complaint, but rather reserve the right to contest those allegations at the
13 appropriate time. The Riddell Defendants further reserve the right to
14 assert any proper basis to make any arguments and maintain any positions
15 regarding the continued exercise of and additional bases for federal
16 jurisdiction over any or all of this matter, once removed.
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1 WHEREFORE, the "Riddell Defendants"—Riddell, Inc., All American
2 Sports Corporation, Riddell Sports Group, Inc., Easton-Bell Sports, Inc.,
3 Easton-Bell Sports, LLC, EB Sports Corp., and RBG Holdings Corp.—join
4 in and consent to the removal of this action to this Court and to the request
5 that this Court assume jurisdiction over this entire matter.
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9 DATED: October 14, 2011

BOWMAN AND BROOKE LLP

10
11 By /s/ Paul G. Cereghini

12 Paul G. Cereghini

13 Vincent Galvin

14 Ryan A. McCarthy

15 Marion V. Mauch

16 Attorneys for Defendants

17 RIDDELL, INC., ALL AMERICAN

18 SPORTS CORPORATION,

19 RIDDELL SPORTS GROUP, INC.,

20 EASTON-BELL SPORTS, INC.,

21 EASTON-BELL SPORTS, LLC,

22 EB SPORTS CORP., and RBG

23 HOLDINGS CORP.
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PROOF OF SERVICE
F.R.C.P. Rule 5(b)(2)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 879 West 190th Street, Suite 700, Gardena, CA 90248-4227.

I hereby certify that on **October 14, 2011**, I served the document: **NOTICE OF CONSENT TO AND JOINDER IN REMOVAL TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA UNDER 28 U.S.C. SECTION 1441** on all interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

SEE ATTACHED SERVICE LIST

(X) BY MAIL (F.R.C.P. Rule 5(b)(2))

() BY OVERNIGHT DELIVERY (F.R.C.P. Rule 5(b)(2))

(X) As follows: I am "readily familiar" with the firm's practice of collection and processing documents for mailing. Under the practice, the envelope would be put in a sealed envelope and deposited with the U.S. postal service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage date is more than 1 day after date of deposit for mailing in affidavit.

(X) BY CM/ECF: I hereby certify that I electronically transmitted the attached document(s) to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the parties as shown on the attached Service List.

() BY PERSONAL SERVICE (F.R.C.P. 5(2)): I delivered such envelope by hand to the addressee.

Executed on **October 14, 2011**, at Gardena, California.

(X) (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


Regina Foley

SERVICE/MAILING LIST

Vernon Maxwell et al. v. National Football League, et al.

United States District Court—Central District of California - Western Division
Case No: CV 11-8394 R (MANx)

Thomas V. Girardi, Esq.
GIRARDI | KEESE
1126 Wilshire Boulevard
Los Angeles, CA 90017

Attorneys for Plaintiffs

Tel: (213) 977.0211
Fax: (213) 481.1554

Herman Russomanno, Esq.
Robert Borrello, Esq.
RUSSOMANNO & BORRELLO, P.A.
150 West Flagler Street – PH 2800
Miami, FL 33130

Attorneys for Plaintiffs

Tel: (305) 373.2101
Fax: (305) 373.2103

Jason E. Luckasevic, Esq.
John T. Tierney, III, Esq.
GOLDBERG, PERSKY & WHITE, P.C.
1030 Fifth Avenue
Pittsburgh, PA 15219

Attorneys for Plaintiffs

Tel: (412) 471.3980
Fax: (412) 471.8308

Ronald L. Olson, Esq.
Glenn d. Pomerantz, Esq.
MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue, 35th
Los Angeles, CA 90071-1560

**Attorneys for Defendants
NATIONAL FOOTBALL LEAGUE and
NFL PROPERTIES LLC**

Tel: (213) 683.9100
Fax: (213) 683.5100

Brad S. Karp, Esq.
Theodore V. Wells, Jr., Esq.
Lynn B. Bayard, Esq.
PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064

**Attorneys for Defendants
NATIONAL FOOTBALL LEAGUE and
NFL PROPERTIES LLC**

Tel: (212) 373.3000
Fax: (212) 757.3990